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FM AMEMBASSY KUALA LUMPUR

TO RUEHC/SECSTATE WASHDC IMMEDIATE 3786

INFO RUCNASE/ASEAN MEMBER COLLECTIVE PRIORITY

UNCLAS SECTION 01 OF 17 KUALA LUMPUR 000094

SENSITIVE

SIPDIS

DEPT FOR G/TIP, G-LAURA PENA, INL, DRL, PRM, EAP/MTS,
EAP/RSP, STATE PASS FOR USA

E.O. 12958: N/A

TAGS: [KTIP](#) [KCRM](#) [KWMN](#) [PGOV](#) [PHUM](#) [PREL](#) [SMIG](#) [KFRD](#) [ASEC](#)

PREF, EELAB, KMCA, MY

SUBJECT: MALAYSIA'S TENTH ANNUAL TRAFFICKING IN PERSONS
REPORT

- REF: A. STATE 294--PREPARING THE TENTH ANNUAL
TRAFFICKING IN PERSONS REPORT
- [¶](#)B. KL 58--MALAYSIA: MINISTRY OF HOME AFFAIRS UPDATE
ON ANTI-TIP EFFORTS
- [¶](#)C. KL 6--TIP: LABOR DG LABOUR SAYS PROGRESS ON
LABOR TRAFFICKING ISSUES
- [¶](#)D. 09 KL 1025--SUCCESSFUL ANTI-TIP TRAINING COMPLETED
- [¶](#)E. 09 KL 934--TIP WORKSHOP FOR JOURNALISTS - A FIRST
- [¶](#)F. 09 KL 906--MALAYSIA: GTIP STAFF VISIT AUGUST 15-21
- [¶](#)G. 09 KL 896--ATTORNEY GENERAL'S CHAMBERS CONDUCTS
TIP TRAINING
- [¶](#)H. 09 KL 888--MEETING WITH HOME AFFAIRS SECGEN AND
TEAM ON TIP
- [¶](#)I. 09 KL 832--HEAD PROSECUTOR ON TIP CASELOAD AND
REQUEST FOR TRAINING
- [¶](#)J. 09 KL 775--TIP AMBASSADOR CDEBACA'S VISIT TO
MALAYSIA AUGUST 25-27
- [¶](#)K. 09 KL 704--TIP: MALAYSIA TIER THREE REASSESSMENT
- [¶](#)L. 09 KL 632--TIP: GOM INTENSIFIES PUBLIC EDUCATION
ON TIP
- [¶](#)M. SEPTELS

[¶](#)11. (SBU) SUMMARY: The government of Malaysia (GOM) made significant efforts to address the challenges associated with trafficking in persons (TIP) during this reporting period. Malaysia reacted to its placement on Tier Three in the 2009 Report in a constructive and responsible manner. Senior government leaders stated publicly that addressing the TIP problem was a top priority. This change in approach was accompanied by a significant improvement in Malaysian-USG coordination on human trafficking issues. The government-influenced print media increased the quantity and quality of its reporting on TIP, an indication of the GOM's determination to be seen as proactively confronting the issue (ref L). The GOM improved its effectiveness in combating TIP in the areas of arrest and prosecution of traffickers, protection of victims of TIP, and TIP prevention. In November, the National Council of Anti Trafficking in Persons, which was created in 2008, shared with Post a draft of its newly created National TIP Action Plan that set goals and objectives for improvement in the GOM's counter-TIP efforts for the next five years. The GOM launched an anti-TIP public awareness campaign that was a mix of advertisements in print media, radio spots, and government officials addressing the issue on the local television talk show circuit. The GOM also invested considerable effort in training its law enforcement, prosecutors, and judiciary in how to better utilize the Anti-TIP Act by hosting numerous workshops, seminars, and conferences, some of which was provided by the USG.

[¶](#)12. (SBU) The GOM took steps to build its capacity to combat TIP. The Ministry for Women, Family, and Community Development (Women's Ministry) operated three TIP victim shelters, two for women, one for minors, and identified a

fourth and a fifth shelter for male victims of TIP scheduled to begin operating in 2010. The Royal Malaysian Police (RMP) referred 454 suspected TIP victims to the government-operated shelters and rescued and repatriated over 880 trafficking victims during the reporting period. Over the course of the reporting year, law enforcement and prosecutors became more comfortable implementing the comprehensive anti-trafficking law (ATIP Act), which went into full force on February 28, 2008. During the reporting period, the GOM initiated 180 TIP investigations, filed 123 charges against 69 suspected traffickers, and convicted 7 persons under the ATIP Act. Government agencies coordinated with local NGOs on some TIP cases. The government launched an investigation into allegations that immigration officials were involved in the trafficking of refugees to the Thai border area. On July 20, police arrested five immigration officials for their involvement, with one being officially charged.

¶3. (SBU) Despite significant efforts, Malaysia has substantial room for improvement in other TIP areas such as labor trafficking. Government officials investigated some labor trafficking cases and began a comprehensive review of labor outsourcing companies, but made only limited progress in the arrest and prosecution of labor traffickers. Malaysia was still developing an understanding for how to enhance protective services to victims of human trafficking and overcoming a pervasive historical view of such victims as illegal aliens, prostitutes, and/or criminals. Despite repeated attempts by the GOM to conclude a new Memorandum of Understanding (MOU) on migrant workers with Indonesia, the countries continued to maintain an MOU that allows for confiscation of passports of migrant workers. The GOM's

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